IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

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	JOHN F CORCORAN, CLERK BY: Linda Buigli DEPUTY CLERK		

GAMILE LEE YOUNGER,)
Petitioner,) Civil Action No. 7:06-cv-00572
·)
v.) FINAL ORDER
)
GENE JOHNSON, DIRECTOR,) By: Hon. James C. Turk
Respondent.) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the above referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED** without prejudice, pursuant to Rule 4 of the Rules Governing § 2254 Cases, for failure to exhaust state court remedies, and the action is stricken from the active docket of the court.

The Clerk is directed to send a certified copy of this final order and the accompanying memorandum opinion to the petitioner.

ENTER: This 26 day of September, 2006.

Senior United States District Studge

¹Petitioner may refile his federal habeas petition if he is unsuccessful in obtaining relief after presenting his claims to the Virginia Supreme Court through one of the three routes described in the memorandum opinion. Petitioner is advised, however, that his time to file state or federal habeas petitions is now limited. See 28 U.S.C. § 2244(d); Va. Code § 8.01-654(A)(2).